

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

MADISON SHEWMAKER and
JAMAAR FAISON, individually and as a
representative on behalf of a class of similarly
situated persons

Plaintiffs,

v.

Case No. 4:24-cv-00085-CDL

YARDI SYSTEMS, INC.; ALCO
MANAGEMENT, INC.; ARDMORE
RESIDENTIAL, INC.; BALACIANO GROUP;
BALKE BROWN TRANSWESTERN, INC.;
BANYAN REALTY PARTNERS LLC;
BEZTAK MANAGEMENT COMPANY;
BRIDGE PROPERTY MANAGEMENT, L.C.;
CALIBRATE PROPERTY MANAGEMENT,
LLC; DALTON MANAGEMENT, INC.; FPI
MANAGEMENT, INC.; GRUBB
PROPERTIES, LLC; HNN ASSOCIATES,
LLC; KRE GROUP, INC.; LEFEVER
MATTSON; LUMACORP, INC.; MANCO
ABBOTT, INC.; MCWHINNEY PROPERTY
MANAGEMENT, LLC; MORGUARD
MANAGEMENT COMPANY INC.; PRG
REAL ESTATE MANAGEMENT, INC.; R.D.
MERRILL REAL ESTATE HOLDINGS, LLC;
RAM PARTNERS, LLC; SINGH
DEVELOPMENT COMPANY, LTD;
SUMMIT MANAGEMENT SERVICES, INC.;
CREEKWOOD PROPERTY CORPORATION;
TOWNE PROPERTIES ASSET
MANAGEMENT COMPANY, LTD.;
TRIBRIDGE RESIDENTIAL, LLC;
WESTDAL ASSET MANAGEMENT, LTD
(L.P.); 10 FEDERAL MGMT, LLC; &
FICTITIOUS DEFENDANTS JOHN DOES 1-
100.

Defendants.

ORDER

Plaintiffs and the Moving Defendants in this matter have filed a joint motion to extend the responsive pleading deadline and to set a motion to dismiss briefing schedule. Upon consideration of the same, and for good cause shown, the Court orders as follows:

1. The following deadlines and briefing schedule will apply to all Rule 12 motion(s) the Moving Defendants may choose to bring:

- Deadline to File Rule 12 Motion(s): September 10, 2024
- Deadline to File Opposition(s): October 25, 2024
- Deadline to File Reply/Replies: November 25, 2024

2. Any Moving Defendant who does not file a Rule 12 Motion shall be required to file an answer to the Complaint on or by September 10, 2024.

3. The following briefing procedure will govern the parties' motion to dismiss briefing:

- Joint Rule 12(b)(6) Motion: The Moving Defendants may file one omnibus 45-page motion to dismiss pursuant to Rule 12(b)(6) on behalf of any defendant that wishes to join in that motion. Plaintiffs' opposition to the joint motion to dismiss is limited to 45 pages. The Moving Defendants may file a joint 25-page reply.
- Individual Rule 12(b)(6) Motions: In addition to joining in the joint motion to dismiss, each Moving Defendant may also elect to file an individual (or partially joint) Rule 12(b)(6) motion, not to exceed 10 pages. Plaintiffs may oppose any such individual (or partially joint) motion(s) in opposition(s) not to exceed 10 pages. For convenience, Plaintiffs may file a single opposition collectively addressing all individual 12(b)(6) motions in one filing as opposed to filing an opposition to each defendant's individual Rule 12(b)(6) motion (if any). In that case, Plaintiffs' opposition is limited to the sum of the number of pages Plaintiffs would have had to respond if Plaintiffs had opposed each motion individually (*e.g.*, if three Moving Defendants submit three individual 12(b)(6) motions, Plaintiffs may file either three individual oppositions of 10 pages or less or one opposition of 30 pages or

less). The Moving Defendants may each have five pages to reply to Plaintiffs' opposition(s).

- All Other Rule 12 Motions: All other Rule 12 motions that the Moving Defendants may choose to bring will be subject to the applicable page limits provided for by the Local Rules and Federal Rules of Civil Procedure.

4. Any Defendant who has not joined in this motion because they were not yet served or because counsel was not yet identified may join in the briefing schedule and procedure outlined above if they so choose.

IT IS SO ORDERED, this 1st day of July, 2024.

S/ Clay D. Land
CLAY D. LAND
U.S. DISTRICT COURT JUDGE
MIDDLE DISTRICT OF GEORGIA